

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application Number	:	10/691,653	Confirmation No.	7953
Applicants	:	Jean-Louis ESCARY		
Filed	:	October 24, 2003		
Title	:	POLYPEPTIDES OF THE IFN $\alpha$ -17 GENE		
TC/Art Unit	:	1647		
Examiner:	:	Jegatheesan SEHARASEYON		
Docket No.	:	60711.000024		
Customer No.	:	<b>21967</b>		

**SUBMISSION OF SUBSTITUTE DECLARATION**

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

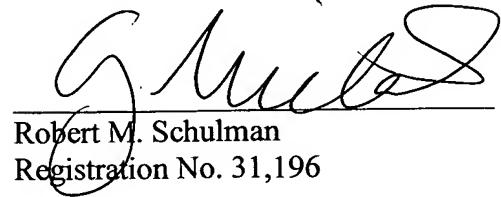
In accordance with 37 C.F.R. § 1.67, Applicant respectfully submits the attached Substitute Declaration.

No fee is believed to be necessary for this submission. Nonetheless, in the event that a fee is deemed necessary by the United States Patent and Trademark Office in order to enter and consider this submission or to maintain the application as pending, please charge such fee to the undersigned's **Deposit Account No. 50-1640**.

Respectfully submitted,  
HUNTON & WILLIAMS LLP

Dated: 4/3/06

By:

  
\_\_\_\_\_  
Robert M. Schulman  
Registration No. 31,196

Christopher J. Nichols, Ph.D.  
Registration No. 55,984

HUNTON & WILLIAMS LLP  
Intellectual Property Department  
1900 K Street, N.W., Suite 1200  
Washington, DC 20006-1109  
(202) 955-1500 (telephone)  
(202) 778-2201 (facsimile)

RMS/CJN:cdh

**BEST AVAILABLE COPY**

Attorney Docket No.: 60711.000024

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name;

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**NEW POLYNUCLEOTIDES AND POLYPEPTIDES OF THE IFN $\alpha$ -17 GENE**

the specification of which:  is attached hereto.

was filed on: October 24, 2003

as United States Application No.: 10/691,653

or PCT International Application No.: \_\_\_\_\_

and was amended on: \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

**Prior Foreign Application(s)**

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Application Number	Country	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed	
01/05516	France	24 April 2001		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>

**BEST AVAILABLE COPY**

Attorney Docket No.: 60711.000024

**Prior Provisional Application(s)**

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)

**Prior United States Application(s)**

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned
PCT/EP02/05229	23 April 2002	Pending

And I hereby appoint, both jointly and severally, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the Hunton & Williams LLP attorneys and agents associated with **CUSTOMER NUMBER 21967**.

All correspondence and telephone communications should be addressed to:

**CUSTOMER NUMBER  
21967**

corresponding to the law firm of Hunton & Williams LLP; Intellectual Property Department; 1900 K Street, N.W.; Suite 1200; Washington, DC 20006-1109; telephone number (202) 955-1500; facsimile number (202) 778-2201.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made

HUNTON & WILLIAMS LLP  
Intellectual Property Department  
1900 K Street, N.W.  
Suite 1200  
Washington, DC 20006-1109  
(202) 955-1500 (telephone); (202) 778-2201 (facsimile)

Page 2

60711.000024 WASHINGTON 380350v1

**BEST AVAILABLE COPY**

Attorney Docket No.: 60711.000024

are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**NAME OF SOLE OR FIRST  
INVENTOR:** A petition has been filed for this unsigned inventorDate November 14<sup>th</sup>, 2003

Signature \_\_\_\_\_

Family Name  
or Surname

ESCARY

Given Name  
(first and middle (if any)) Jean-LouisCitizenship: FranceResidence: FranceMailing Address: 4, rue Moxouris, F-78510 Le Chesnay, FRANCE

HUNTON & WILLIAMS LLP  
Intellectual Property Department  
1900 K Street, N.W.  
Suite 1200  
Washington, DC 20006-1109  
(202) 655-1500 (telephone); (202) 779-2201 (facsimile)

Page 3

60711.000024 WASHINGTON 380350v1